

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD KOMITO,

Plaintiff,

v.

LEXISNEXIS RISK SOLUTIONS INC.,
REED ELSEVIER, INC., and RELX
GROUP,

Defendants.

:
:
:
:
:
:
:
:
:
:
:

CIVIL ACTION NO. 18-2824

ORDER

AND NOW, this 17th day of August, 2018, after considering the motion for exemption from payment of the PACER user fee filed by the *pro se* plaintiff, Edward Komito (Doc. No. 9);¹ and it appearing that the *pro se* plaintiff seeks an exemption from having to pay the Electronic Public Access fees set forth in the Electronic Public Access Fee Schedule adopted by the Judicial Conference of the United States Courts;² and it appearing that as an indigent party, the plaintiff falls within the class of users listed in the fee schedule as being eligible for a fee exemption, *see* Electronic Public Access Fee Schedule at ¶ 9 (“Courts may exempt certain persons or classes of persons from payment of the user access fee. Examples of individuals and groups that a court may consider exempting include: indigents”); and

IT APPEARING THAT the plaintiff has demonstrated that an exemption is necessary to order to avoid unreasonable burdens and to promote public access to information; accordingly, it is hereby **ORDERED** as follows:

1. The motion for an exemption (Doc. No. 9) is **GRANTED** and the plaintiff is exempted from the payment of fees for access via PACER to the electronic case files maintained

¹ The plaintiff is advised that any motions filed with the court should contain a proposed order.

² In the motion, the plaintiff references the fees set forth in 28 U.S.C. § 1930. *See* Mot. Exemption Payment PACER User Fee at 1. This statute refers to the fees for bankruptcy matters, and is inapplicable to this matter.

in this court, to the extent such use is incurred in the course of this action **only**. The plaintiff shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. Additionally, the following limitations apply: (1) This fee exemption applies only to and is valid only for the purpose stated above; (2) this fee exemption applies only to the electronic case files of this court that are available through the PACER system; (3) the plaintiff, by accepting this exemption, agrees not to sell for profit any data obtained as a result of receiving this exemption; (4) the plaintiff is prohibited from transferring any data obtained as a result of receiving this exemption (unless specifically authorized by the court); and (5) this exemption is valid only until this action is terminated. The court may revoke this exception at any time at the discretion of the court; and

2. The clerk of court is **DIRECTED** to email a copy of this order to the PACER service center.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.